



Ninety-Eighth Legislature - First Session - 2003
Committee Statement
LB 489

Hearing Date: February 5, 2003

Committee On: Judiciary

Introducer(s): (Cudaback, Byars)

Title: Change provisions relating to waivers of certain district court fees

Roll Call Vote – Final Committee Action:

Advanced to General File

X Advanced to General File with Amendments

Indefinitely Postponed

Vote Results:

7	Yes	Senators Brashear, Foley, Mines, Mossey, Pedersen, Quandahl, Tyson
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No

Present, not voting

1	Absent	Senator Chambers
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Proponents:

Senator Jim Cudaback

Marlene Vetic

Representing:

Introducer

District Court Clerk Association

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

Under current law, a litigant initiating a civil or criminal action is required to pay a fifteen dollar complete record fee. The fee is remitted to the county in which such case is filed. Such fee is imposed as part of the costs of filing the case but such can be expressly waived by the parties to the action.

Legislative Bill 489 provides that the complete record fee is automatically waived, unless agreed otherwise, in Title IV-D (state initiated child support cases); actions brought *in forma pauperis* (in which the citizen-litigant is determined by the judge to be too poor to pay for the cost of the action; and therefore the county assumes the costs) filings, and in any case filed by the county attorney.

Explanation of amendments, if any:

The committee amendment (AM 1495) clarifies that the fee referred to in the bill is the complete record fee.

Senator Kermit A. Brashear, Chairperson